



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Conduct a Public Hearing to consider the Planning Commission's recommendation that the City Council downzone East Lodi Avenue on the north side, the 200 block, the 300 block, the 400 block and 501-545 of the 500 block and on the south side, 104-112 of the 100 block, the 200 block, the 300 block, the 400 block and 500-526 of the 500 block from C-2, General Commercial to C-1, Neighborhood Commercial.

MEETING DATE: August 16, 1995

PREPARED BY: Community Development Director

RECOMMENDED ACTION: That the City Council conduct a Public Hearing to consider the Planning Commission's recommendation that the City Council downzone East Lodi Avenue on the north side, the 200 block, the 300 block, the 400 block and 501-545 of the 500 block and on the south side, 104-112 of the 100 block, the 200 block, the 300 block, the 400 block and 500-526 of the 500 block from C-2, General Commercial to C-1, Neighborhood Commercial.

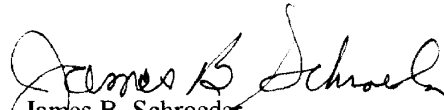
BACKGROUND INFORMATION: Earlier this year, Virginia Snyder with the Eastside Improvement Committee, corresponded with the Planning Commission concerning the unsightly conditions on East Lodi Avenue between the Southern Pacific Railroad and Cherokee Lane and asked the Planning Commission to help abate the problem. The major problem listed by the Committee were outside sales of used tires and second-hand furniture. The Committee also pointed out the lack of off-street parking and commercial enterprises being conducted in residential structures.

The Planning Commission determined that the out-of-doors sales issue could be addressed by downzoning the property to C-1, Neighborhood Commercial. Since the C-1 zone requires that all activities be conducted inside, the open-air sales would become non-conforming uses and ultimately abated.

The off-street parking issue and use of homes for commercial purposes have not yet been reviewed and recommended by the Planning Commission.

The enclosed map shows the status of each parcel in the downzoning area if the area is zoned C-1, Neighborhood Commercial.

FUNDING: Application Fees


James B. Schroeder
Community Development Director

JBS/lw

APPROVED: 

THOMAS A. PETERSON
City Manager

CC9525.DOC



recycled paper

MINUTES
LODI CITY PLANNING COMMISSION
CARNEGIE FORUM
305 WEST PINE STREET
LODI, CALIFORNIA

MONDAY

JULY 10, 1995

7:30 P.M.

The Planning Commission met and was called to order by Chairman Harry Marzolf

Commissioners Present: Michael Lapenta, Chairman Harry Marzolf,
Jonathan McGladdery, Craig Rasmussen, Dorean Rice,
John Schmidt.

ROLL CALL

Commissioners Absent: Roger Stafford

Others Present: John Luebberke, Assistant City Attorney, James B. Schroeder,
Community Development Director, David Morimoto, Senior Planner,
Eric Veerkamp, Assistant Planner and Lisa Wagner, Secretary.

The Minutes of the Regular Session of June 19, 1995 were approved as mailed.

**MINUTES
JUNE 19, 1995**

PUBLIC HEARINGS

Chairman Marzolf announced that now is the time and place for the public hearing to consider the downzoning of East Lodi Avenue and the 100 and 200 blocks of East Pine Street from C-2, General Commercial to C-1, Neighborhood Commercial. Senior Planner Morimoto introduced this matter to the Planning Commission. Mr. Morimoto explained that the Planning Commission and the Eastside Improvement Committee had expressed interest in the possibility of changing the zoning on East Lodi Avenue and a section of East Pine Street from General Commercial to Neighborhood Commercial and had requested staff to explore this possibility. The reason for this request was to eliminate, over time, some of the more intense commercial uses in these areas. These included bars, car lots, outside sales of used tires, and certain auto repair businesses. Staff briefly reviewed the types of uses that were permitted in C-2 zones vs. the types of uses that were permitted in C-1 zones. It was explained that even uses that became non-conforming as a result of the zoning change could be allowed to continue under a "grandfather clause." Under this practice, existing uses that became non-conforming would be allowed to continue as long as they did not substantially change or expand and that their use did not lapse for more than a six-month period. This would assure that all existing businesses could continue as they have done so in the past.

Based on a land use study conducted by the Planning Department, it was estimated that approximately 6 businesses would clearly become non-conforming if the rezoning took place. These would include the outdoor tire sales, car lots, bars, and the Greyhound Bus facility. Staff noted that even if the zoning in these two areas were changed, the actual uses and appearance of the streets would not change overnight because most of the existing properties would still be permitted in the new C-1 zone and even the

**DOWNZONING
OF
EAST LODI AVE.
&
THE 100 & 200
BLOCKS OF
EAST
PINE STREET**

non-conforming uses would be grandfathered-in. A significant change in appearance might not occur for many years.

Mr. Morimoto suggested that in addition to changing the zoning in the area, the City may also have to adopt a new set of regulations which establish clear guidelines on what improvements a business would have to make in order to conduct a commercial activity on a piece of property. This was particularly true for residences which were converted to commercial uses. These guidelines could include things like parking, landscaping, signing for the restriction on outdoor display or storage of sale items. The City will also have to revise their Zoning Ordinance to update the list of permit uses in both C-1 and C-2 zones. It was noted that the Zoning Ordinance dates back to 1953 and the types of uses included in the lists need to be updated.

The Planning Commission directed a number of questions to City staff dealing primarily the impact of the zoning change on existing businesses. Staff explained that City policy has always been to grandfather-in existing uses and treat them as existing non-conforming uses which would allow them to continue in operation as long as they did not go out of operation for a period in excess of six-months. The Commission also asked about businesses that store sale items out in the open. Staff explained that this would not be permitted in a C-1 zone; however, existing businesses would be allowed to remain. New businesses would have to conduct their business inside of a building. For example, the used tire sales could still be conducted if all of the tires were stored inside of a approved commercial building. Following some more additional discussion Chairman Marzolf opened the hearing to the public and asked if anyone in the audience wished to speak on this matter.

Coming forward to speak was Virginia Snyder, P.O. Box 2444, Lodi. Ms. Snyder spoke in favor of the zoning change with the hope that it would help upgrade the east side commercial areas. She also expressed her desire to allow existing businesses to remain in business even if they were non-conforming under the new zoning classification. She also felt that additional enforcement would be necessary to clean up some of these areas. She also briefly discussed the formation of a landmark district within the east side to establish certain architectural guidelines for the area.

The next speaker was Virginia Lahr, 311 East Elm Street. Ms. Lahr also spoke in favor of the proposed zoning change. She expressed particular concern about the outdoor tire sales. She felt they were a fire hazard. She noted that badly operated businesses had a negative impact on adjacent good businesses and made it more difficult for them to be successful. She also discussed the use of a "contingency use permit" which would restrict the uses of a property to a specific type of business which could not be changed without specific approval.

The next speaker was Camille Green, 405 E. Pine Street. Ms. Green felt that outdoor storage and sale of items went on because no one was doing anything to stop this type of activity. She felt that the City needed a code enforcement officer to handle these kind of problems.

The next speaker was Colleen Dixon, 333 E. Hilborn Street. Ms. Dixon also stated her support for the proposed zoning change and added that she did not want existing uses

put out of business. She did not; however, want the process of cleaning up the east side to take 20 years. She felt that other methods could be used to clean up the area.

The next speaker was Fred Muther, 904 Sylvia Drive. Mr. Muther stated that he owned the old Courtesy Motor property at the northeast corner of Pine and Stockton Street and also the old car lot across the street that is currently being used to sell used tires. Mr. Muther explained the problems that property owners in the area had in renting out their property and keeping good tenants. He suggested a number of ways landlords could work with their tenants to improve the appearance of their properties. He was opposed to any change in the zoning because it would limit the number of potential tenants that could utilize his property. He explained that many of the buildings in the area were old and were built for specific uses and would be difficult and expensive to convert to uses that might conform to the C-1 zoning. He felt that property owners needed every opportunity to rent out their properties in order to make a living.

The next speaker was Helen Beoshanz, 958 Quinta Court, Woodbridge. She read a letter from her husband expressing their opposition to the proposed rezoning. She felt that the existing C-2 zoning was appropriate for the area and that any action which made it more difficult for landlords to find tenants could lead to further deterioration of the neighborhood. She also implied that they would consider legal action for any loss to the value of their property.

The next speaker was Gertie Meidinger, 123 E. Pine Street. Ms. Meidinger spoke in opposition to the proposed zoning change. She explained that she owned the used car lot at 123 E. Pine Street. She noted that this property had been used for a car lot for many years and that she relied on the income from the property to supplement her social security income. She was opposed to anything that would effect her ability to lease the property out as a car lot.

The next speaker was Don Ostorero, 201 E. Pine Street. Mr. Ostorero explained that he owned Transmissions by Hal, which is located behind the Greyhound Bus Depot. He felt that the proposed zoning change would place an undue hardship on his business. He noted that the building was specifically built for an automotive related business and would be difficult to convert to some other type of use.

The next speaker was Fred Muther who had spoken previously. Mr. Muther noted that the east side was one of the few locations in Lodi where new businesses could start with low rents and low overhead. He felt that this was an important area for people starting a new business. He also discussed ways in which businesses, like the used tire sales, could be improved to make them more compatible with the surrounding area.

There being no further speakers, Chairman Marzolf closed the floor to the public. Commissioner Rassmussen stated that he was in favor of the proposed rezoning. However, he was concerned about the potential loss of tenants if a business were to lapse for more than six-months and how that would impact individual property owners. Commissioner Lapenta stated that he was in favor of rezoning because both streets were badly in need of improvement and the rezoning was a good first step. Commissioner McGladdery also stated that he was in favor of the rezoning on Lodi Avenue, but was less certain about Pine Street. He felt that Lodi Avenue presented a more pressing

problem and should be dealt with separately. He felt that Pine Street could be handled at later date, possibly in conjunction with the downtown revitalization effort. Senior Planner Morimoto noted that there were other areas in the downtown which might be suitable for a change in zoning. He noted that both Sacramento Street and Main Street had industrial zoning which might not be appropriate in light of the downtown revitalization effort. He stated that the Planning Commission might possibly want to look at changing the zoning at least in the downtown area, from industrial to some type of commercial zoning. The East Pine Street area could then be studied in conjunction with this effort.

Following some additional discussion, Commissioner McGladdery made a motion to rezone the properties on Lodi Avenue from C-2, General Commercial to C-1, Neighborhood Commercial and to hold off on any action on the East Pine Street properties until some future date. This motion was seconded by Commissioner Lapenta. Commissioner Schmidt and Commissioner Rassmussen both stated that they found the motion acceptable as long as the Pine Street properties were brought back before the Planning Commission sometime soon. It was their feeling that they did not want this action on the Pine Street area to be postponed indefinitely. Following this discussion, the Commission approved the motion on a unanimous vote.

COMMENTS BY PLANNING COMMISSION ON NON-AGENDA ITEMS

One of the Commissioners asked about the status of the removal of the railroad tracks on East Lodi Avenue. Deputy City Attorney Luebberke explained that the City was still in negotiations with the Central California Traction line and there was still some disagreement about whether the Lodi Avenue line was part of the mainline or if it was in fact a spurline. He also noted that the railroad company was doing some work on Lodi Avenue to try to improve the quality of the road surface.

STATUS OF THE REMOVAL OF THE RAILROAD TRACKS ON EAST LODI AVENUE

ANNOUNCEMENTS

Community Development Director Schroeder took this opportunity to introduce Dorean Rice who was recently appointed as the newest Planning Commissioner. Chairman Marzolf welcomed Commissioner Rice to the Planning Commission.

INTRODUCED NEW PLANNING COMMISSIONER DOREAN RICE

As there was no further business to be brought before the Planning Commission, Chairman Stafford adjourned the session at 9:00 p.m.

Respectfully submitted,

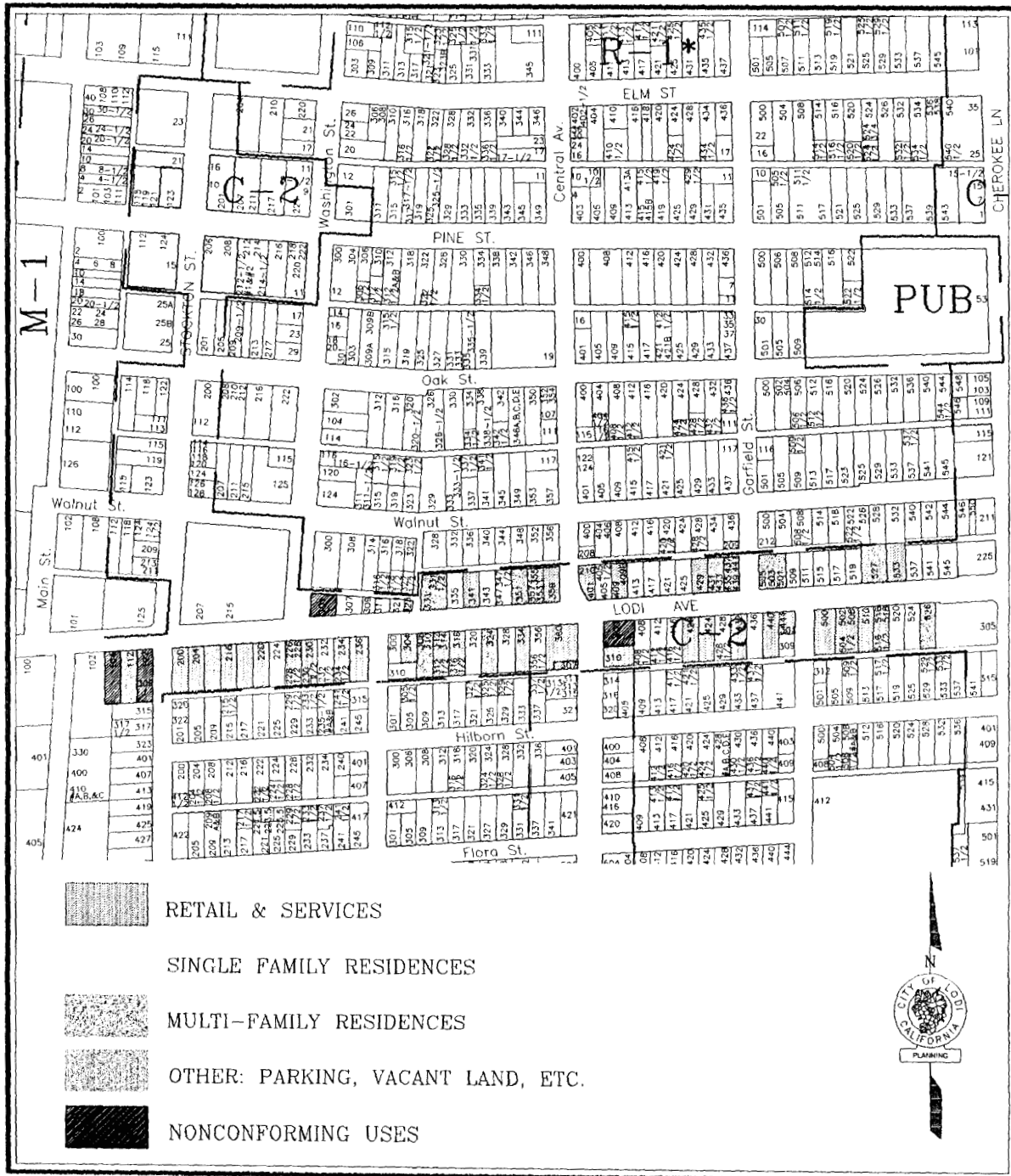


DAVID MORIMOTO, AICP
Senior Planner



COMMUNITY DEVELOPMENT
DEPARTMENT

PROPERTIES OF
PROPOSED REZONE





CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: August 16, 1995

Time: 7:00 p.m.

For information regarding this notice please contact:

Jennifer M. Perrin

City Clerk

Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

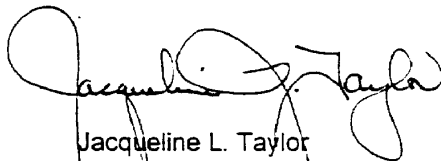
NOTICE IS HEREBY GIVEN that on **Wednesday, August 16, 1995** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing to consider the following matter:

- a) Downzoning of East Lodi Avenue on the north side of the 200 block, the 300 block, the 400 block and 501-545 of the 500 block and on the south side, 104-112 of the 100 block, the 200 block, the 300 block, the 400 block and 500-526 of the 500 block from C-2, General Commercial C-1, Neighborhood Commercial.

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

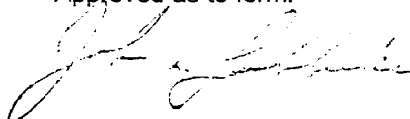
By Order of the Lodi City Council:



Jacqueline L. Taylor
Acting City Clerk

Dated: July 20, 1995

Approved as to form:



John Luebberke
Deputy City Attorney



DECLARATION OF MAILING

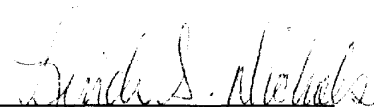
On July 20, 1995 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 20, 1995, at Lodi, California.

Jacqueline L. Taylor
Acting City Clerk


Linda S. Nichols
Deputy City Clerk

PUBLIC HEARING LIST

DOWNTOWN

MANHO LIST FOR:	FILE #	OWNER'S NAME	MANHO ADDRESS	CITY, STATE	ZIP
043-071-01		MR P INVESTMENTS PTP	112 S Main	Valley Springs	95252
-02		Alvin & J Allmendinger Tr	8954 Hedman Rd		
-03		"			
-04		Kling T Wburg et al	24 N. Main St		95240
-05		AMHindinger			95252
-12		Donald B Lipscomb	105-A E Pine		95240
-17		Buddhist Church of Lodi	23 N Stockton St.		95240
-20		T.H. & V.L. Rosen Trs	833 Kristen Ct		95242
-21		Steve & Della Weng	119 E Pine St		95240
-22		Bennie & G E Weidinger	1022 Laurel Ave		95242
-072 -01		Donald & Janice Weng	312 Southwest Dr.		95242
-02		Gurantbhai vs Bhakta	4 S Main St		95240
-03		Leland Wah Yip	1200 Edgewood Dr.		95240
-06		Reynolds Packing Co	33 E Tokay St.		95240
-09		Kanu N & LK Patel	22 1/2 S Main St		95240
-10		Jose & Tanlaza Mendoza	2601 E Armstrong Rd		95240
-11		Glenn Properties Inc.	23438 N Bruce Ave Rd		
-12		Spahi & Richard Wolkstein	"		
-13		Flaurice O Ray Jr	755 S Fairmount Av.	Woodbridge CA	95258
-14		Edgar W. & Helen Breoshanz	P.O. Box 5		
-15		"			
-16		"			
-073-01		Buddhist Church			
-02		Japanese American Citz. League	23 N Stockton		
-03		Adriana S Vandertons	P.O. Box 2411	Lodi	95241
-04		Jim & Karen Munro	1757 Hewison Ln.	"	95240
-05		Gary E Rice	17 N Washington St	"	"
-06		Breoshanz			
-07		"			
-08		Mohammad D & R Khan	435 Harold St		
-09		Fred & M Yettier Trs.	904 Selma Dr.		
074-06		Mohammed & S Alam	440 E Maple St #A		
-06		Muzafar & K Khan	439 Murray St		
-07		Paul Deandreis	17 S Washington St		
-08		Sheryl Carey	33 "		
-09		Women's Center Coalition	620 N San Joaquin St	Stockton CA	95202
-10		Larry & Goreti Stice	893 E Main St	Lodi	95240

PUBLIC HEARING LIST

DOWNZONE

MARKING LIST FOR:		FIRE #		
AP #	OWNER'S NAME	MARKING ADDRESS	CITY, STATE	ZIP
043-074-11	Lorena & Norma Vramontes	309 E Oak St.	Lodi	95240
-12	Vivian C. Carter	213 E Oak St.		
-13	Esther Berg	269 E Oak St.		
-14	Benitz Plumbing & Heating	1317 Midvale Rd		
-15	"			
-16	Roxa & Sandra Collins	P.O. Box 5	Woodbridge	
075-01	Laurie E. Folweiler	26 N Washington		
-02	Fida & K. Khan	22 N Washington		
-03	N. & C. Investments	1029 S Church		
-04	Fida & R. Khan			
-05	Inez Huppert	1313 W Lockeford St.		
-08	Pedro M. De la Torre	318 E Elm		
-09	Thomas & Pamela Herrmann	322 E Elm		
-10	Joy Rollins	P.O. Box 2045	Lodi	95344
-11	Michael D. & JF Heck	325 E Pine St.		
-12	Mahmudi Arambula	11316 Harris St	Northvale CA	90652
-13	Akram M. Khan	213 E Pine	Lodi	
-14	Mohammad Akram Khan	351 E Lodi	Lodi	
-15	Erwin C. & Beth Maldonado	311 E Pine		
-16	Clifford T. & Chong Roost	301 E Pine St.		
-17	NVC Investments Ptp	1029 S Church		
-18	Jay & Zephia P. White	316 E Elm		
076-01	NVC Investments Ptp			
02	Richard & Laura Norris	306 E Pine		
03	Mohammad Naz	306 1/2 E Pine		
04	Statvros & Fotini Geraltis	1442 Volker St.		
05	"			
06	"			
07	Harry P. & M. Bistolides	571 E Pine		
08	Mohammad D. & R. Khan	435 Harold		
14	Monnie & J. Flakle	513 Conne St		
15	Christopher L. Kasta	301 E Oak St.		
16	Ida Fleckle	3015 White Oak Hwy		
17	Alfonzo S. Mendoza	14 S Washington		
121-11	Steven & Cindy Garrison	933 N Lincoln		
-12	Douglas E. & E.J. Blayney	327 E Oak St		

PUBLIC HEARING LIST

DOWNZONE

MARING LIST FOR:		FILE #		
AP #	OWNER'S NAME	MARING ADDRESS	CITY, STATE	ZIP
043-122-01	Darrell E. McCarter	226 E Oak	Lodi	95342
-02	Douglas & June Kort	2311 W Cochran Rd	Lodi	95341
-077-03	Southern Pacific RR Co	P.O. Box 1967		
-062-04	May Kam Chin Eng	230 E Vine St		
-03	Safdar Afzal et al	122 E Oak	Stockton	95202
-06	Magdalena Vargas LF Est	139 S Grant	Lodi	95342
-014-01	Goodwill Industries Corp	1424 Fremont Ct		
-02	Gerald & L Bovina et al	105 S Washington		
-03	Loel Foundation Corp			
-04	"			
-066-01	Yvonne J Vallejo	302 E Oak St	Elk Grove CA	95759
-063-01	Robert E & Carol Matheson	P.O. Box 970		
-02	CRA Fasz et al & Lds	636 Daisy		
-03	Mario & Martha Maguana	112 E Walnut		
-04	Craig Williams et al	118 E Walnut		
-05	John & El Ralston	2612 Edgewood		
-06	Tim & Elsie Martin	4860 E Woodbridge		
-07	Catherine M. DePinto	211 S. Stockton		
-08	LEX Olson Trust	1534 Vista Dr.		
-09	Edward & E. Olsen Trs.	1306 Burgundy Ct		
-061-01	Cherry Export Leasing Co	P.O. Box 877	Chippichael	95342
-062-10	Frank Koples Trs	4428 Northampton Dr.	Lodi	95342
-11	Joyce H Koehler	115 E Walnut		
-17	FR & CE Players Trs	1833 Robin Dr	"	95342
064-06	Loel Foundation	105 S Washington		
-06	"			
-07	Emilia Gahl	215 E Walnut		
-08	Maxim Medina Sol et al	211 E Walnut		
-09	Jane Lea	307 E Walnut		
061-01	Frank J. Paul et al	1309 Fernside Dr.		
-02	Lance F & Kay Nord	308 E Walnut		
-03	Sebastian M. Mourad	5337 Verdway	Stockton	95207
-04	William & Marie Kallach	316 E Walnut	Lodi	
-05	"			
-06	Theodore & Mary R. Hutz-	2155 W March Lane #2 C	Stockton	95207
-07	Noboru & K Terigan	400 Box 614	Lodi	95342
-08	Fred & Louise Kehler	322 E Walnut		

PUBLIC HEARING LIST

DOWNZONING

MAILING LIST FOR:			FILE #	
AP #	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP
043-067-10	Patty J Villanueva	430 E Hillcrest	Lodi	95240
-11	Gary & L Buzonis	964 Lucas Rd	"	95242
-09	Phil & Judy M Fernandez	322 1/2 E Walnut		
-12	Buzonis			
-13	"			
-14	Salvador D Rivera et al	307 E Lodi		
-15	Anthony Fernandez Est	3451 Christensen Ln	Castro Valley	94546
046-09	Joel & CJ Sylvia	24321 Birch Terrace	Willits CA	95490
-11	Gary J & Mary Ann Blomgren	P.O. Box 845	Victor CA	95353
-13	Werner J & PK Jenny	315 E Walnut	Lodi	
-14	Eva Coffman Est	2513 White Ave	Chico CA	95926
-16	William Azcon et al	124 S Washington St	Lodi	95240
130-01	James E & Carol Dean	16 N Crescent	"	"
02	Shirley A Collins	P.O. Box 1455	"	95240
03	Richard & Penny Radwovich	P.O. Box 215	Victor CA	95253
04	David A & AH Gutierrez	237 Maple		
05	Ida Aldinger	344 E Walnut St		
06	Henry & A Christman	348 E Walnut St		
07	Keith D & Leann Johnson	352 E Walnut		
08	Perry A Clayton	356 E Walnut		
09	Robert & MT Cunningham	1853 Songbird Pl	Lodi	95240
10	Gary D Bender St. et al Tr.	5325 E Hatney Lane		
11	Ellen Mohr	404 E Walnut		
12	Kathryn J. Warr	1425 W Lockeford St		
13	Sarah B Martinez et al	412 E Walnut		
14	Rudolph Steinbach Tr	416 E Walnut St #B		
15	Friedrich R Edelmayr	2548 52nd St	Sacramento CA	95817
16	Richard C Kellogg	420 1/2 E Walnut		
17	John & LaVonne Hubner	19304 Fir Dr.	Pioneer CA	95666
18	Cora M Wahl Tr	428 E Walnut		
19	Pauline Nuss	432 E Walnut		
20	Gary D Bender St. Tr.	5325 E Hatney Lane		
21	Glehn Bayer	2140 W Walnut		
22	Maria C Barrigan	439 E Lodi		
23	Mattha A Salas	431 E Lodi		
24	John Kellat et al	429 E Lodi		
25	Robert & SN Asvitt	429 E Lodi		

PUBLIC HEARING LIST

DOWNZONE

MAILING LIST FOR:		FILE #		
AP #	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP
043-130-26	Bryant D & Doris I Love	421 E Lodi		95240
-27	Virgil Korschak	338 E Oak		
-28	Zidan E Suplakan	1333 Edgewood Dr.		
-29	Gary R & L Breen	964 Lucas Rd	Woodbridge	95258
-30	Edgar W & Helen Berstane	P O Box 3		95258
-31	"			95240
-32	Gerald & R F Sperling	359 E Lodi Ave		
-33	"			
-34	Frank Gansinger	901 S Crescent Ave		
-35	Mohammed D & R Khan	435 Harold		95242
-36	Glenn R Hinz	801 Laveret		
-37	John & Margaret M Weber	446 W Turner		95258
-38	Ruth L Turner	P O Box 823	Woodbridge	95240
-39	Oliver & M Tecklenburg	14860 N Wells Ln	Lodi	"
-40	Mohammed Arsha et al	1019 Piche St	"	
122-12	Jackie F Gaeke	117 S Central		
-14	Alex & Rosalind Sotelo	349 E Walnut	Woodbridge	95258
-15	Enrique Torres	P.O. Box 146		
-16	Tracy F Diamond	341 1/2 E Walnut		
-17	Kathy E Aldinger et al	341 E Walnut		
-18	Marionne Rivera	P.O. Box 8479	Lodi	95241
-19	"	"	"	"
-20	Patrick & E Hanley Ths	P.O. Box 2584	"	"
-21	George F & G Sylvia	329 E Walnut		
12	Tony & Elsie Martin	4860 E Woodbury Rd	Acampo CA	95220
-23	Anthony & J Canton	1029 S Church		
134-16	Charles & C Harst	437 E Walnut		
-17	Gordon & Jannet Bererra	435 E Walnut		
-18	Edna K Fischer Tr.	429 E Walnut		
-19	Naele Rosa Santibanez	425 E Walnut		
-20	Paul J & Susan Desterman	2129 Sunset Dr.		
-21	Warren A Lamb	417 E Walnut		
-22	Alden F Rott et al	415 E Walnut		
-23	Terald & C Herman et al	6455 Tulberry Ln	Stockton	95210
-24	Esther Nava Gutierrez	405 E Walnut		
-26	Joe S & R Perico	13201 N Lwt Sacramento Rd		95242

PUBLIC HEARING LIST

DOWNZONE

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MAILING LIST FOR:		FILE #		
AP #	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP
043-140-32	David A & F E Meagher	532 E Walnut		95240
-33	Richard & J Neuman	910 Colman Ct		95242
-34	Penny A Remersma et al	528 E Walnut		
-35	Neuman			
-36	11 Stein Life Estate	2 Del Rio Ct	St Helena CA	94574
-37	Neuman			
-38	Frank H & Yolanda Alvarez	518 E Walnut		
-39	Isabel Dimonds	517 E Lodi		
-40	Virginia Hina Josa	514 E Walnut		
-41	Dorelas & Ely McPherson	515 E Lodi		
-42	Thelma C Horst Tr.	528 E Walnut		
-43	Louis Maurino	511 E Lodi		
-44	Olga Witt Tr.	815 N Orange		
-45	Melvin D & E A Kackby	509 E Lodi		
-46	Olga Witt			
-47	Arnold & Maria Norra	814 Lincoln		
-48	Letime Klein	540 E Walnut		
-49	Paul & Sheryl Salsedo	542 E Walnut		
-50	George & Alki Cecchetti	544 E Walnut		
-51	Rosemary H Martinez	2204 Newbury Cir		
-52	"			
-53	"			
-54	Alan Dale Mays	537 E Lodi		
-55	Maria C Giala	541 E Lodi		
-56	Miguel & Rosa Guerrero	545 E Lodi		
-57	Atlantic Aircraft Co	P.O. Box 2045	Los Angeles	90057
-58	Carmelo J & P3 Teresi	14776 Wells Lane		
230-07	"			
-08	"			
-10	"			
-11	Henry A & Karen Hansen Est.	P.O. Box 437	Stockton	95241
047-020-07	Kevin & Brenda Kelly	2305 W Benning Holt		95207
-63	Leona Gugliemetti Tr. Et al	1230 Heather Dr.	Murphys CA	95247
-08	Central Cal. Tractor Co	920 SE Quince	Topeka K.S.	66612
-09	R & G Bonetto Trs et al	3294 d. Sargent Rd	Calif	95342
-10	"			
-11	Arnez Huppert	1213 W Lockeford St		
-12	"			

PUBLIC HEARING LIST

MAILING LIST FOR:		FILE #		
AP #	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP
047-020-13	Fah N Dreege	2012 Kenway Ct		95242
-14	"			
-16	CJ & Vernie Ann Dreege et al	14351 Vintage	Lodi	95240
-17	Arturo & AT Aguilar	401 S Stockton		
-18	Marcia E & CR Miller	3303 Main St		
-191-01	Mary Lehr	1250 Edgewood Dr.		95240
-02	"			
-03	John M Jr & KM Giannoni	2126 Greystone Dr		95242
-06	Gloria H Berry	1849 E Hwy 12	Lodi	95240
-07	Salvador & Sarah Duenas	234 E Lodi		
-08	Mary Lehr			
-09	John A & R B Lippert	230 E Lodi		
-10	"			
-11	"			
-12	Richard & J Newman Trs	910 Cologne Ct		
-13	Warren H Smith Tr et al	236 E Lodi		
-14	Gary & Lucella Buzonis	764 Lucas Rd		
-15	Jini D & Karen Minto	P.O. Box 864	Lodi	95241
-16	David Rivera et al	241 1/2 E Hilborn		
-17	Steven & Mary Forbes	241 Hilborn		
-18	J Steven & J L Manildi	1114 Deime Dr.	Lodi	95240
-19	Glenn R Hinz	801 Laver Ct	"	95242
-20	J & D Hensindahl	4341 St Andrews Dr.	Stockton	95219
-21	Donald R & MA Horica	1150 Rivera Rd	"	95207
-22	Kenneth A Hieh	221 E Hilborn		
-23	Darlene C Buchmiller et al	300 E Tokay		
-24	Dustin Wade Taunton	1313 W Lockeland St		
-25	Abdul & Iraj Aziz	22 N Washington		
-26	Blenda Lewis	P.O. Box 7	Murphy, ID	83650
-27	Fred M & BT Nishio	205 Hilborn		
-28	Mary Lehr			
192-01	Henry & Brenda Long	200 Hilborn		
-03	Armandina Long et al	204 Hilborn		
-05	Cecil Tr & P Rice	836 Greenwood Dr.	Lodi	95240
-06	Ruscencio & I Long	329 Watson		
-07	Abdul & Iraj Aziz	P.O. Box 604	Lodi	95241
-08	Salma & Shamshul Haq	222 E Hilborn		

PUBLIC HEARING LIST

[illegible]

ORDINANCE NO. 1622

AN ORDINANCE OF THE LODI CITY COUNCIL
AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI
AND THEREBY REZONING EAST LODI AVENUE ON THE NORTH SIDE,
THE 200 BLOCK, THE 300 BLOCK, THE 400 BLOCK AND 501-545 OF THE 500 BLOCK,
AND ON THE SOUTH SIDE 104-112 OF THE 100 BLOCK, THE 200 BLOCK,
THE 300 BLOCK, THE 400 BLOCK AND 500-526 OF THE 500 BLOCK FROM C-2,
GENERAL COMMERCIAL TO C-1, NEIGHBORHOOD COMMERCIAL

THE CITY COUNCIL OF THE CITY OF LODI DOES ORDAIN AS FOLLOWS:

Section 1. The Official District Map of the City of Lodi adopted by Title 17 of the Lodi Municipal Code is hereby amended as follows:

The parcels located at East Lodi Avenue on the north side, the 200 block, the 300 block, the 400 block and 501-545 of the 500 block and on the south side 104-112 of the 100 block, the 200 block, the 300 block, the 400 block and 500-526 of the 500 block are hereby rezoned from C-2, General Commercial to C-1, Neighborhood, as shown on the Vicinity Map, on file in the office of the City Clerk.

Section 2. The alterations, changes, and amendments of said Official District Map of the City of Lodi herein set forth have been approved by the City Planning Commission and by the City Council of this City after public hearings held in conformance with provisions of Title 17 of the Lodi Municipal Code and the laws of the State of California applicable thereto.

SECTION 3 - NO MANDATORY DUTY OF CARE. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 4 - SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 6. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this ____ day of _____, 1995

STEPHEN J. MANN

Mayor

Attest:

JENNIFER M. PERRIN
City Clerk

State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1622 was introduced at a regular meeting of the City Council of the City of Lodi held August 16, 1995 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1995 by the following vote:

Ayes: Council Members -

Noes: Council Members -

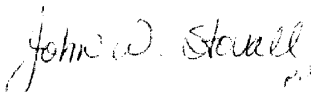
Absent: Council Members -

Abstain: Council Members -

I further certify that Ordinance No. 1622 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
City Clerk

Approved as to Form:



JOHN W. STOVALL
City Attorney

August 16, 1995

RECEIVED
AUG 16 PM 3:01
CITY OF LODI
CITY CLERK

Dear City Council Members:

We are writing to protest the proposed rezoning of our property located at 334 East Lodi Avenue from C-2 General Commercial to C-1 Neighborhood Commercial. We operate a mobile industrial catering service with a licensed commissary.


We did not receive the first notice of the public hearing on this issue. None of the business owners we spoke to on Lodi Avenue had received notices either. A couple of days ago we received the second notice and in talking with other business owners, few were aware of this proposed rezoning.

In speaking with the Planning Department, we are unclear whether our business would be a permitted use in the proposed C-1 zone or whether we would be a legal non-conforming use. We are opposed to any rezoning which would result in our business becoming a legal non-conforming use. This non-conforming status could result in the loss of our business. For example, if our building burned, we would not be allowed to rebuild. Banks may not lend money on non-conforming uses. If an illness prevented the operation of our business for a period of time, we would not be allowed to resume if our use is non-conforming. In the event of Health Department mandated improvements, it is possible we would not be allowed to make the necessary improvements to comply. In addition, we are very concerned that the proposed rezoning would lower our property value by limiting uses.

We believe the deteriorated condition of some of the properties will be improved as the economy improves and new uses allowed within the C-2 zoning come into the area. Much of Lodi Avenue is zoned C-2 and we do not agree that this particular section should be changed.

We request that this rezoning be continued to a future date to allow Planning Department Staff to review the mailing list to ensure that all property owners are aware of this proposed rezoning. Additional time would allow affected property owners to study the issues and to meet with planning department staff.

Sincerely,


Russell and Carolyn Ings
Laura Ings
334 East Lodi Ave
Lodi, CA 95240
(209) 931-2955

